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To: Microsoft ATR
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Subject: Microsoft Settlement

After reading the final judgement I would like to point out a number of points that are apparently not pin pointed in the document. What is Microsoft in the business of providing?

This may sound like a stupid question so I will explain in the following paragraphs.

1. Before you begin to sell software you need a market to sell the software to...

Microsoft has saturated the user market with their operating system...business users as well as home users.

2. You need to make sure that you can compete in this market, to be able to write good quality software.

Because Microsoft owns the operating system that most home and business software is hosted on it already has an unfair advantage since they will know and already have teams of programmers who have inside information on how to program certain API's. In fact it is not uncommon for Microsoft to add the functionality to the operating system and then add user applications that use that functionality to be released at the same time. This leaves everyone in the world playing catch-up every time.

3. Trust...

I work for a software house who developed manufacturing software for the Microsoft platform and spent millions of pounds in R&D to only find out that 3 and a half years down the line Microsoft bought one of our competitors and now develops software with them.

This left us competing and relying on a competitor??

Their in house software products all lie in the following fields

Games
Word processing
Accounting
Manufacturing
Banking
Numerous in house business products...

THEY DON'T WORK WITH PARTNERS SO THEY OWN THE OPERATING SYSTEM AND THE BUSINESS SYSTEMS??

Would splitting the company into distinct smaller companies be a bad thing...?

There are a number of other worrying points in the document.

1. After they nearly destroyed all competition in the internet market with internet explorer, why have they not been punished?? Final Judgement should include some sort of punishment so that they know not to do it again...
2. The document does not detail and nail down when competitors software becomes suitable for replacing the Microsoft equivalent.
3. Any code to do with the operating system could be deemed important to the security of the operating system...It would be very easy for MS to keep any code they wish away from the eyes of the TC.
4. The TC seem to be another piece in the RED tape if they have no power to testify in court.

....Point 4.d

No work product, findings or recommendations by the TC may be admitted in any enforcement proceeding before the Court for any purpose, and no member of the TC shall testify by deposition, in court or before any other tribunal regarding any matter related to this Final Judgement.

Would this mean that if I went to them with a complaint about Microsoft practises that I could then not proceed with the complaint to the courts? I am not sure since the final judgement does not nail this down...It is very wide open to abuse...

Information is the new monetary system and at the moment Microsoft is holding a very large piece of this currency?